

EXHIBIT A

ALSTON & BIRD

90 Park Avenue
New York, NY 10016
212-210-9400 | Fax: 212-210-9444

E. Scott Schirick

Direct Dial: 212-905-9032

Email: scott.schirick@alston.com

June 10, 2024

VIA EMAIL

Ryan Finkel, Esq.
Juliana Murray, Esq.
Micah Ferguson, Esq.
Justin Horton, Esq.
United States Attorney's Office
Southern District of New York
26 Federal Plaza
New York, NY 10007

Re: *United States v. Guo*, S3 23 Cr. 118 (AT)

Counsel:

We write regarding the upcoming testimony of the government's anticipated witness, Sam Roberts, of BitGo, Inc. Portions of Mr. Roberts' 3500 material reflect discussions regarding Mr. Roberts' opinion as to whether Himalaya Dollar ("HDO") and Himalaya Coin ("HCN") are cryptocurrencies.

Given that Mr. Roberts has not been noticed as a government expert, we write to confirm that the government does not intend to elicit testimony from Mr. Roberts as to (i) whether HCN and/or HDO are cryptocurrencies; (ii) HCN and HDO's designs and/or functions; or (iii) the design and/or function of the Himalaya Exchange.

Page 2

We seek similar assurances with respect to the upcoming testimony of the government's anticipated witness Bo Collins.

To the extent you disagree, please promptly let us know your basis for eliciting such testimony from a fact witness.

Sincerely yours,

ALSTON & BIRD



By:

E. Scott Schirick

cc: SK; SPS; MB; Guo Team (via email)